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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5250 OF 2007

Hanuman Vikas Seva Sanstha
Maryadit and anr. ... Petitioners

Versus

Kolhapur Agricultural Produce
Market Committee, Kolhapur and Ors... Respondents

Mr. P.K. Dhakephalkar, Sr. Advocate for Petitioners.

Mr. A.A. Kumbhakoni, Assoc. Adv. General along with Mr. P.M. Patil, A.G.P. for Respondent No. 2.

Mr. A.P. Kulkarni for R. No. 1.

CORAM: F.I. REBELLO &
J.P.DEVADHAR, JJ.
DATED: JULY 31, 2007

P.C.:

. By order dated 3.5.2007 in Writ Petition No. 3078 of 2007 wherein the society to which elections were to be held was a party, we had directed holding of the elections. That order has not been challenged by the society.

. It is the case of the Petitioners herein who are member of the society that the Government is now proposing to bifurcate the society i.e. Respondent No. 1 and in the light of that matter, holding of the elections would result in loss of revenue and

the expenditure incurred would be an empty exercise.

. Once the Respondent No. 1 was party in Writ petition No. 3078 of 2007 and they have chosen not to challenge that order, in our opinion the petition at the present Petitioners' instance who is only one member, cannot be entertained. Apart from that the election programme has already been announced and we are informed that fifteen nominations have been filed.

. Considering the above, this is not a fit case for this court to exercise its extra ordinary jurisdiction. Petition disposed of.

(J.P.DEVADHAR, J.) **(F.I.REBELLO, J.)**